



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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May 13, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

42 May 13, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION TO APPLY FOR INTEGRATED REGIONAL
WATER MANAGEMENT ROUND 3 IMPLEMENTATION
GRANT FUNDS (PROPOSITION 84)
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to adopt a Resolution to authorize the Los Angeles County Flood Control District to file an application for Proposition 84 Round 3 Implementation Grant funds with the California Department of Water Resources on behalf of itself and the other local entities participating in the Greater Los Angeles County Integrated Regional Water Management Group and to negotiate and execute agreements with the local entities to facilitate reimbursement of their share of the grant application costs.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Adopt a Resolution approving the filing of an application for grant funds of up to \$96,340,789 with the California Department of Water Resources, on behalf of Los Angeles County Flood Control District and other local entities in the Greater Los Angeles County Integrated Regional Water Management Group, for Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 Round 3 grant funds for the implementation of projects in the Greater Los Angeles County Region.
2. Authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to file an application with the California Department of Water Resources on behalf of the entities participating in the Greater Los Angeles County Integrated Regional Water Management Group.

3. Authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to negotiate and execute Memoranda of Understanding with the local entities whereby the local entities will reimburse the Los Angeles County Flood Control District for their share of the grant application costs.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In November 2006 the voters of California enacted the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84), adding provisions to the California Water Code. Public Resources Code, Sections 75001-75130, authorizes the Legislature to appropriate \$1 billion for an Integrated Regional Water Management Program (Program). The Program is managed by the California Department of Water Resources (DWR).

The intent of the Program is to encourage integrated regional strategies for the management of water resources and to provide funding through at least three competitive grant cycles for projects that protect communities from drought, improve water reliability, protect and improve water quality, and improve local water security by reducing dependence on imported water. The implementation grants are designed for projects that are ready, or nearly ready to proceed to implementation. On September 14, 2010, under Agenda Item No. 31, the Board authorized the Chief Engineer of the Los Angeles County Flood Control District (LACFCD) to apply for Proposition 84 Round 1 Implementation Grant Funds on behalf of the Regional Water Management Group (RWMG) of the Greater Los Angeles County (GLAC) Region (Region). The LACFCD was consequently awarded a \$25.6 million grant to partially fund 13 projects within the Region. Again, on March 19, 2013, under Agenda Item No. 35, the Board authorized the LACFCD to apply for Proposition 84 Round 2 Implementation Grant Funds on behalf of the RWMG of the GLAC Region. This action resulted in a grant award of another \$23.4 million to partially fund another 13 projects within the Region.

The Proposition 84 Round 3 Implementation Grant solicitation, which will lead to the distribution of \$450 million in grant funds, was originally scheduled to commence in late 2014. On March 1, 2014, Governor Brown signed Senate Bill 104, designating \$200 million of these Proposition 84 Round 3 funds for regional drought preparedness projects that provide immediate regional drought relief. These funds are to be distributed through an expedited grant solicitation process (Part 1). The remaining \$250 million will become available for Integrated Regional Water Management Projects during a second solicitation process tentatively scheduled for mid-2015 (Part 2). This action will authorize the LACFCD to apply for Part 1 grant funds. We will return to the Board for authorization to apply for grant funds from Part 2.

On April 3, 2014, the DWR released the Draft Expedited Project Solicitation Package and revised Program Guidelines for the Proposition 84 Round 3 Implementation grants cycle and announced a grant application deadline for Part 1 in July 2014. Similar to the first two rounds of solicitation, the Project Solicitation Package and Program Guidelines indicate that eligible grant applications must provide in addition to regional benefits, immediate drought relief and originate from an Integrated Regional Water Management Region.

As lead agency for the Region, the LACFCD intends to submit a Round 3 Implementation Grant Application on behalf of itself and the other local entities, which will include several projects, and will identify the required minimum funding match of at least 25 percent of total project costs. Due to the expedited nature of this solicitation, the projects have not yet been selected. These projects will be selected by the RWMG of the GLAC Region from hundreds of proposed projects through a mutually

agreed upon project prioritization process. Consistent with Senate Bill 104, projects selected for this expedited solicitation round will provide immediate regional drought preparedness, increase local water supply reliability and the delivery of safe drinking water, assist water suppliers and regions to implement conservation programs and measures that are not locally cost-effective, or reduce water quality conflicts or ecosystem conflicts created by the drought.

Prior to being selected for inclusion in the grant application, the local entities agreed to collectively contribute toward the cost of preparing the grant application. The cost to prepare the grant application is estimated to be \$20,000 per project. The LACFCD requests the Board to delegate authority to the Chief Engineer of the LACFCD or her designee to negotiate and execute Memoranda of Understanding (MOUs) with the local entities to allow LACFCD to collect reimbursements from the local entities for their share of the grant application costs. Any such MOUs will be reviewed and approved by County Counsel prior to execution.

The enclosed Resolution (Enclosure) will allow the Chief Engineer of the LACFCD or her designee to apply for up to \$96,340,789 in Implementation Grant funds. If awarded grant funds, we will return to the Board for acceptance of the grant funds and to request authority to negotiate and execute agreements with the other local entities that would be responsible for implementing each of the individual projects as well as providing the matching funds required as stated on the grant application. The Board's approval, including approval of appropriate environmental documentation, will also be required to proceed with the LACFCD's projects.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Fiscal Sustainability (Goal 2) by actively seeking grant funds to augment the County's funding sources and Integrated Services Delivery (Goal 3) since the implementation of the projects in the grant application would leverage resources and improve the quality of life for residents in the County of Los Angeles.

FISCAL IMPACT/FINANCING

The estimated grant application cost of up to \$500,000 is budgeted in the Fiscal Year 2013-14 LACFCD Budget. Up to 100 percent of this amount will be reimbursed by the local entities whose projects are included in the application.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The grant programs each require grant applications to include a Resolution from the jurisdiction's governing body identifying the representative authorized to file the applications and execute the grant agreements. The enclosed Resolution has been reviewed and approved as to form by County Counsel.

The MOUs between the LACFCD and local entities will provide for reimbursement of the local entities' share of the grant application costs. These MOUs of the LACFCD will be approved as to form by County Counsel prior to execution by the Chief Engineer of the LACFCD or her designee.

ENVIRONMENTAL DOCUMENTATION

The recommended actions do not constitute a project subject to the requirements of the California Environmental Quality Act (CEQA) because it is activity that is excluded from the definition of a project by Section 15378(b) of the CEQA Guidelines. The funding, preparation, and submission of an application for grant funding involves the creation of a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project, which may result in potentially significant physical impact on the environment. If selected for grant funding, we will return to the Board to request authority to accept the grant funds and to approve the LACFCD projects, along with the appropriate documentation under CEQA and the National Environmental Policy Act (NEPA), as applicable. No activities that would be considered a project under CEQA or NEPA, if applicable, will be undertaken prior to the Board's approval of environmental documentation or for non-LACFCD projects, approval by the governing Board's for the other local entities.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The implementation of these projects will enhance the quality of life for residents in the region by improving water quality and water reliability while reducing dependence on imported water.

CONCLUSION

Please return three adopted copies of this letter and three copies of the signed Resolution to the Department of Public Works, Watershed Management Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

GF:GH:av

Enclosures

c: Chief Executive Office
County Counsel
Executive Office

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, CALIFORNIA, ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
APPROVING THE FILING OF APPLICATIONS FOR INTEGRATED REGIONAL
WATER MANAGEMENT IMPLEMENTATION GRANTS

WHEREAS, the Legislature and the Governor of the State of California have provided funds for the Integrated Regional Water Management Grant Program pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84); and

WHEREAS, the Legislature and the Governor of the State of California have enacted Senate Bill 104 to provide funds for the Integrated Regional Water Management Grant Program Proposition 84 Round 3 Part 1 (Drought Relief) and Part 2; and

WHEREAS, this grant program is administered by the California Department of Water Resources; and

WHEREAS, the California Department of Water Resources requires the governing body of a grant applicant to designate, by Resolution, an authorized representative for filing grant applications and executing Grant Agreements; and

WHEREAS, the Los Angeles County Flood Control District (LACFCD) intends to submit an application for Proposition 84 Round 3 Implementation Grant funds in the maximum amount allowable (not-to-exceed \$96,340,789.00) for projects under the Integrated Regional Water Management Grant Program on behalf of local entities in the Greater Los Angeles County Region; and

WHEREAS, the Regional Water Management Group for the Greater Los Angeles County Integrated Regional Water Management Group will identify projects in the Greater Los Angeles County Region to be included in the LACFCD's Implementation Grant Proposal.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, acting as the governing body of the LACFCD:

1. That an application be made to the California Department of Water Resources on behalf of the local entities to obtain Integrated Regional Water Management Implementation Grants pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 for the implementation of projects that protect communities from drought, conserve and improve water quality, restore habitat, and reduce dependency on imported water.

2. That the Board of Supervisors authorizes and directs the Chief Engineer of the LACFCD or her designee to file such applications for Implementation Grant funds and designates the Chief Engineer or her designee to act as the authorized representative of the LACFCD when conducting business with the California Department of Water Resources on any and all matters related to these grants, including negotiating and executing the grant agreements and any amendments and signing requests for payment/reimbursement.

The foregoing Resolution was adopted on the 13th day of May, 2014, by the Board of Supervisors of the County of Los Angeles acting as the governing body of the LACFCD.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles



By Carla Little
Deputy

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By [Signature]
Senior Associate

RP:av

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